

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

vs.

(1) ANDREW RAYMOND  
(2) BRIAN REQUENA,

Criminal No. 5:15-CR-081 (NAM)

Defendants.

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**ORDER**

The Government moves to adjourn the trial (Dkt. No. 95). Defendants join in the request (Dkt. No. 97). The Court agrees with counsel that issues before the Second Circuit in the currently-pending appeal in *United States v. Zhang* (Doc. Nos. 13-3410; 13-4283; 13-4763; 14-178) will provide important guidance to the Court and counsel in the trial of the instant case. The *Zhang* appeal will not be fully briefed before the Second Circuit until September 27, 2016. Accordingly, the Court grants the parties' request to adjourn the trial. The Court sets a new trial date of December 12, 2016 to afford the parties reasonable time to prepare for trial after the decision by the Second Circuit in the *Zhang* appeal. The Court finds that, pursuant to 18 U.S.C. § 3161(h)(7)(A), the ends of justice served by granting the requested continuance outweigh the best interests of the public and the defendants in a speedy trial. Therefore, the Court grants the Government's unopposed request.

Accordingly, it is ordered:

1. That a period from **August 23, 2016** to and including **December 12, 2016** shall be excluded in computing time under the Speedy Trial Act pursuant to 18 U.S.C. § 3161

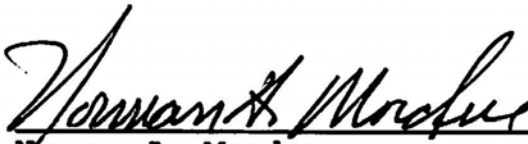
(h)(7)(A) and (h)(7)(B)(ii) to afford the parties reasonable time to prepare for trial after the decision by the Second Circuit in the *Zhang* Appeal.

2. Any change of plea shall be entered on or before **December 2, 2016**.

3. The Jury Trial will commence on **December 12, 2016, at 9:00 a.m.**, before Senior United States District Judge Norman A. Mordue in Syracuse, New York. All pretrial papers are due on or before **December 2, 2016**.

IT IS SO ORDERED.

Date: August 25, 2016

  
Norman A. Mordue  
Senior U.S. District Judge